

LABEL, IN PART: "JI Frozen Fresh Chopped Spinach * * * John Inglis Frozen Food Company Modesto California."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance containing added water in the form of ice had been substituted in whole or in part for frozen spinach; and, Section 402 (b) (4), water in the form of ice had been added to the article or mixed or packed with it so as to increase its bulk or reduce its quality or strength.

DISPOSITION: January 12, 1953. No claimant having appeared, judgment was entered and the court ordered that the product be delivered to a charitable institution for its use and not for sale.

19987. Adulteration of canned chopped turnip greens. U. S. v. 26 Cases * * * (F. D. C. No. 34248. Sample No. 46848-L.)

LIBEL FILED: November 24, 1952, Northern District of Alabama.

ALLEGED SHIPMENT: On or about September 5, 1952, by the Mayhaw Canning Co., from Laurel, Miss.

PRODUCT: 26 cases, each containing 24 1-pound, 11-ounce cans, of chopped turnip greens at Birmingham, Ala.

LABEL, IN PART: "Miss America Brand Chopped Turnip Greens."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), grass had been substituted in part for chopped turnip greens.

DISPOSITION: December 29, 1952. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

19988. Adulteration of canned tomatoes. U. S. v. Hillard Woodruff (Woodruff Canning Co. Inc.). Plea of nolo contendere. Fine of \$150, plus costs. (F. D. C. No. 32796. Sample No. 8944-L.)

INFORMATION FILED: On or about August 11, 1952, Southern District of Indiana, against Hillard Woodruff, president of Woodruff Canning Co., Inc., Goldsmith, Ind.

ALLEGED SHIPMENT: On or about September 17, 1951, from the State of Indiana into the State of Michigan.

LABEL, IN PART: (Can) "Indiana Tomatoes * * * Packed by Woodruff Canning Co. Inc."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of fly eggs; and, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 23, 1953. The defendant having entered a plea of nolo contendere, the court fined him \$150, plus costs.

19989. Adulteration and misbranding of canned tomatoes. U. S. v. 350 Cases * * *. (F. D. C. No. 34107. Sample No. 39297-L.)

LIBEL FILED: November 12, 1952, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about September 15, 1952, by Albert W. Sisk & Son, from Cannon, Del.

PRODUCT: 350 cases, each containing 24 1-pound, 11-ounce cans, of tomatoes at Norfolk, Va.

LABEL, IN PART: (Can) "Pine Cone Brand Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of fly eggs and maggots.

Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it contained excessive peel and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: January 6, 1953. Default decree of condemnation and destruction.

19990. Adulteration of tomato catsup. U. S. v. 242 Cases * * * (and 4 other seizure actions). (F. D. C. Nos. 33910 to 33914, incl. Sample No. 3739-L.)

LIBELS FILED: October 3, 1952, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about September 12, 1952, by Gibbs & Co., Inc., from Baltimore, Md.

PRODUCT: 394 cases, each containing 24 14-ounce bottles, of tomato catsup at Norfolk, Va.

LABEL, IN PART: (Bottle) "Gibbs Tomato Catsup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: On October 29, 1952, Gibbs & Co., Inc., having appeared and filed a petition for consolidation of the libels, an order was entered directing such consolidation. On March 9, 1953, no answer having been filed, judgment of condemnation was entered and the court ordered that the product be destroyed.

19991. Adulteration of tomato juice. U. S. v. 149 Cases * * *. (F. D. C. No. 34279. Sample No. 7962-L.)

LIBEL FILED: December 4, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 24, 1952, by Growers & Packers Cooperative Canning Co., Inc., from North Collins, N. Y.

PRODUCT: 149 cases, each containing 24 cans, of tomato juice at New Castle, Pa.

LABEL, IN PART: (Can) "Gro-Pak Tomato Juice Contents 1 Qt. 14 Fl. Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: December 23, 1952. Default decree of condemnation and destruction.

19992. Adulteration of tomato juice. U. S. v. 142 Cartons * * *. (F. D. C. No. 34289. Sample No. 8256-L.)

LIBEL FILED: December 8, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 24, 1952, by Growers & Packers Cooperative Canning Co., Inc., from North Collins, N. Y.

PRODUCT: 142 cartons, each containing 12 cans, of tomato juice at Pittsburgh, Pa.

LABEL, IN PART: (Can) "1 Qt. 14 Fl. Oz. Pond Lily Tomato Juice."